

**Introduced by Senator Machado**

February 11, 2003

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An act to amend Sections 1260, 1262, and 1275 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 165, as introduced, Machado. Clinical laboratory personnel: licensure.

Existing law provides for the licensure and regulation of clinical laboratory personnel by the State Department of Health Services. Under existing law, an applicant for a clinical bioanalyst license is required to hold a degree in a biological science and successfully pass an examination conducted by the department. Existing law also requires that an applicant for a limited chemical laboratory scientist's license successfully complete an examination.

This bill would authorize the department to issue a temporary limited clinical laboratory scientist's license to an individual who has not taken the licensure examination but who has satisfied other licensing requirements. The bill would also revise the requirement for a clinical bioanalyst licensure to designate particular sciences acceptable in satisfaction of the degree criterion. The bill would authorize the department to waive the examination for an applicant who has successfully completed comparable examinations of a national accrediting board. The bill would additionally revise the continuing education requirements that must be completed prior to clinical laboratory personnel licensure renewal.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1260 of the Business and Professions Code is amended to read:

1260. The department shall issue a clinical laboratory bioanalyst's license to each person who is a lawful holder of a degree of master of arts, master of science, or an equivalent or higher degree as determined by the department with a major in ~~one of the chemical, physical, biological, or clinical laboratory sciences.~~ *Such* This education shall have been obtained in one or more established and reputable institutions maintaining standards equivalent, as determined by the department, to those institutions accredited by the Western Association of Schools and Colleges or an essentially equivalent accrediting agency, as determined by the department. The applicant also shall have a minimum of four years' experience as a licensed clinical laboratory ~~technologist~~ *scientist*, performing clinical laboratory work embracing the various fields of clinical laboratory activity in a clinical laboratory approved by the department. The quality and variety of this experience shall be satisfactory to the department and shall have been obtained within the six-year period immediately antecedent to admission to the examination. The applicant shall successfully pass a written *examination* and *an* oral examination conducted by the department or a committee designated by the department to conduct the examinations, indicating that the applicant is properly qualified. *The department may issue a license without either of these examinations to an applicant who has passed an examination of a national accrediting board having requirements that are equal to or greater than those required by this chapter and regulations adopted by the department.* The department shall establish by regulation the required courses to be included in the college or university training.

SEC. 2. Section 1262 of the Business and Professions Code is amended to read:

1262. No clinical laboratory scientist's or limited clinical laboratory scientist's license shall be issued by the department except after examination; provided, that a temporary clinical laboratory scientist's license *or a temporary limited clinical laboratory scientist's license* may be issued to an individual who fulfills the requirements for admission to the examination unless

1 the individual has failed a previous examination for the license.  
2 The department may issue licenses without examination to  
3 applicants who have passed examinations of the national  
4 accrediting boards whose requirements are equal to or greater than  
5 those required by this chapter and regulations established by the  
6 department. The department may issue licenses without further  
7 examination to applicants who have passed examinations of  
8 another state whose laws and regulations are equal to or greater  
9 than those required by this chapter and regulations established by  
10 the department. The evaluation of national or state accrediting  
11 boards for the purposes of this chapter shall be carried out by the  
12 department with assistance of representatives from the licensed  
13 groups. This section shall not apply to persons who have passed an  
14 examination by a national board or another state examination prior  
15 to the establishment of requirements that are equal to or exceed  
16 those of this chapter or the regulations of the department. The  
17 department may, however, make exceptions if individuals are  
18 otherwise qualified.

19 SEC. 3. Section 1275 of the Business and Professions Code  
20 is amended to read:

21 1275. The department shall develop and implement  
22 regulations for continuing education for persons licensed pursuant  
23 to this chapter on or before January 1, 1992, after consulting with  
24 the multidisciplinary committee established pursuant to Section  
25 1228, and other appropriate organizations. On and after January 1,  
26 1994, the department shall require not more than 12 hours of  
27 continuing education—~~annually~~ *completed within a 12-month*  
28 *period or not more than 24 hours of continuing education*  
29 *completed within a 24-month period* as a condition for renewal of  
30 a license issued under this chapter. The department may establish  
31 a fee for the implementation of this section, the total fees collected  
32 not to exceed the total costs to the program for the implementation  
33 of this requirement.

